UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/551,979	10/05/2005	Michael Gritzman	ZNA-PT015	3444

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EXAMINER
BELOUSOV, ANDREY

ART UNIT	PAPER NUMBER
2174	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/551,979	GRITZMAN ET AL.
	Examiner	Art Unit	
	ANDREY BELOUSOV	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
   Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _05 October 2005_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under _Ex parte Quayle_, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-36_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-36_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _10/05/2005_.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the original filing of 10/05/2005. Claims 1-36 are

pending and have been considered below.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public
> use or on sale in this country, more than one year prior to the date of application for patent in the United
> States.

3.   Claims 1-7, 10, 13 and 18-25, 28, 31 and 36 are rejected under 35 U.S.C. 102(b)

as being anticipated by Southgate (5,487,143.)

Claim 1, 19: Southgate discloses the method for windowing and controlling system

thereof comprising a computer device or system communicating with a display, wherein

said method comprises the steps of:

  a. defining basic geometrical shape (quadrilateral) and graphical appearance for a

       least one window (Fig. 9: 204);

  b. providing at least one set of different sizes for said at least one window

       comprising at least one size arranged as a reference window size (Fig. 9: 204,

       7:31-7:55);

  c. providing a relation to graphical appearance of content to be comprised and

       displayed in said at least one reference window size (7:31-7:55);

d. displaying windows on said display by arranging said controlling system to

displaying said at least one window as an evolving series of instances of different

sizes corresponding to said at least one set of different window sizes (Fig. 12A-

12C, 13A-13C, 15A-15C, 16A-16B); and

e. retaining said basic geometrical shape in all said displayed instances of said

displayed windows (quadrilateral, Fig. 12A-12C, 13A-13C, 15A-15C, 16A-16B.)

Claim 2, 20: Southgate discloses the method according to claim 1, wherein said relation

to said graph appearance of said content of said at least one reference window size

comprises at least one parameter shaping said graphical appearance (width, 7:31-7:65.)

Claim 3, 21: Southgate discloses the method according to claim 1, wherein said at least

one set of sizes of windows comprises three different sizes (7:31-7:55.)

Claim 4, 22: Southgate discloses the method according to claim 1, wherein said at least

one set of sizes of windows comprises at least two different sizes (7:31-7:55.)

Claim 5, 23: Southgate discloses the method according to claim 1, wherein said

displaying of said evolving instances of sizes of said displayed windows may be

interrupted by user actions or system actions related to said displaying of one of said

instances of said displayed windows, thereby causing said one instance of window to be

resized and displayed in a larger defined size from said at least one set of sizes for that

window (13:1-58; Fig. 13A: window A is interrupted from expanding beyond a certain

limit by B and C.)

Claim 6, 24: <u>Southgate</u> discloses the method according to claim 1, wherein said

displaying of said evolving instances of sizes of said windows may be interrupted by

user actions or system actions related to said displaying of one of said instances of said

windows, thereby causing said one instance of window to be resized and displayed in a

smaller defined size from said at least one set of sizes for that window (13:1-58; Fig.

13A: window B or C are interrupted from shrinking beyond a certain min limit, thus

leaving it at a smaller defined size.)

Claim 7, 25: <u>Southgate</u> discloses the method according to claim 1, wherein said

controlling system comprises a parameter related to an importance of a window (13:13-

19.)

Claim 10, 28: <u>Southgate</u> discloses the method according to claim 1, wherein said

displaying of said series of evolving sizes of windows comprises displaying at least one

graphical image representing a state of an application or a service running in said

computer device or system, in said at least one window in all its said instances of sizes

(Fig. 8.)

Claim 13, 31: <u>Southgate</u> discloses the method according to claim 1, further comprising

the steps of:

a. arranging at least one window among said windows in said controlling system as

    corresponding to an application or service (Fig. 5-6; messaging of Compiler

    error/warnings/info window) running in said computer device or system;

b. providing means (display of the Messages window, Fig. 5-6) for reading or

    mirroring a value (e.g. pixel height or width) for at least one parameter (window

    size) for said application or service in said arranged window for said application

    or service;

c. providing means to display a content (warnings, errors, info, Fig. 5-6) comprised

    in said series of evolving said window sizes corresponding to said application or

    service, wherein said content may be changed (text is wrapped, Fig. 5-6) as a

    function of said value of said at least one parameter and current instance of

    window size comprised in said at least one series of displayed window sizes.

Claim 18, 36: <u>Southgate</u> discloses the method according to claim 1, wherein said step

of displaying said evolving windows sizes on said display in communication with said

computer device or system, comprises the step of starting said displaying by touching or

stroking a surface of said display with an artefact or similar device or a finger (4:40-49.)

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claim 8-9 and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Southgate in view of Cook (5,727,950.)

Claim 8, 26: Southgate discloses the method according to claim 7. However, Southgate

does not explicitly disclose wherein said importance parameter is a number between

zero and one, meaning one to be the highest importance.

        Cook discloses a priority scheme, wherein wherein said importance parameter is

a number between zero and one, meaning one to be the highest importance (57:1-4.)

Therefore, it would have been obvious to one having ordinary skill in the art at the time

the invention was made to combine the priority scheme of Cook with Southgate, as it

would have been a mere design choice which range on the number line to choose so as

to delineate an importance.

Claim 9, 27: Southgate discloses the method according to claim 8, wherein said

importance parameter for said window is used to scale a size of said window

proportional to a value of said importance factor (13:13-19.)

6.   Claim 11 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Southgate in view of Ohkado (2001/0047626.)

Claim 11, 29: Southgate discloses the method according to claim 1.However,

Southgate does not explicitly disclose wherein said displaying of said series of evolving

sizes of windows further comprises the steps of:

   a. providing a parameter indicating a state of an application or a service running in

       said computer device or system;

   b. arranging at least one of said windows as a window representing said state of

       said application or service;

   c. modifying the displayed size or a location for displaying said one window on said

       display in communication with said computer device or system in accordance

       with a value of said parameter indicating said state of said application or service.

Ohkado discloses a similar window controlling method wherein said displaying of said

series of evolving sizes of windows further comprises the steps of:

   a. providing a parameter (history size, par. 28; size of the chat window, par. 29)

       indicating a state of an application (extended, Fig. 2; par. 28-29; minimum, Fig.

       3;) or a service running in said computer device or system;

   b. arranging at least one of said windows as a window representing said state of

       said application or service (Fig. 2-3);

   c. modifying the displayed size or a location for displaying said one window on said

       display in communication with said computer device or system in accordance

with a value of said parameter indicating said state of said application or service

(Fig. 7, par. 35-37.)

Therefore, it would have been obvious to one having ordinary skill in the art at the time

the invention was made to combine the teachings of Southgate and Ohkado. One would

have been motivated to include the teaching of Ohkado in Southgate so as to enable a

window to take the least amount of screen real estate.

7.   Claim 12 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Southgate in view of Andrew (5,371,844.)

Claim 12, 30: Southgate discloses the method according to claim 1. However,

Southgate does not explicitly disclose, further comprising the steps of:

  a. arranging at least one window among said windows in said controlling system as

      corresponding to an application or service running in said computer device or

      system;

  b. providing means for defining a value for at least one parameter for said

      application or service in another of said windows;

  c. providing means to drag and drop at least said one window comprising said

      value of said at least one parameter on to said window corresponding with said

      application or service, thereby transferring said value to said parameter for said

      application or service.

Andrew discloses a method for adjusting elements of a GUI, including:

a. arranging at least one window among said windows in said controlling system as corresponding to an application or service running in said computer device or system (Fig. 5a-5b);

b. providing means (Fig. 5c) for defining a value (a particular color, brightness) for at least one parameter (e.g. color) for said application or service in another of said windows (color cell; 8:4-39);

c. providing means to drag and drop at least said one window (color cell; 8:4-39) comprising said value (picked color) of said at least one parameter on to said window corresponding with said application or service, thereby transferring said value to said parameter for said application or service (8:4-39.)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Southgate and Andrew. One would have been motivated to include the teaching of Andrew in Southgate so as to enable quick and easy modification of windows (Andrew, 2:62-68.)

8.   Claim 14 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Southgate.

Claim 14, 32: Southgate discloses the method according to claim 1. However, Southgate does not explicitly disclose wherein said step of defining said basic geometrical shape and graphical appearance for said at least one window is provided in

a remote computer device or system, and then downloaded as needed via a network
communicating with said controlling system of said windowing system.

The Examiner takes Official Notice that it is old and well known in computing arts
to provide application by download via a network. Therefore, it would have been
obvious to one of ordinary skill in the art at the time the invention was made to provide
the interface application of <u>Southgate</u> by download via a network (e.g. Internet) as to
take advantage of e-commerce method of sale.

9.   Claim 15-16 and 33-34 are rejected under 35 U.S.C. 103(a) as being

unpatentable over <u>Southgate</u> in view of <u>Goldberg</u> (2003/0200263.)

Claim 15, 33: <u>Southgate</u> discloses the method according to claim 1, further comprising
the steps of:

a. receiving input from an input device such as a keyboard, a mouse, a stylus or
    artefact, a soft keyboard or similar device in communication with said computer
    device or system either directly connected to said computer device or system, or
    via a network communicating with said computer device or system (Fig. 1-2,
    4:40-4:67);

b. transferring said input via said controlling system to a recently activated window
    activated by an application, user interaction or service or similar action in said
    computer device or system (1:20-31; Fig. 4:112);

    c. displaying said input in said activated window or said new window (1:20-31; Fig.

       4:112.)

However, Southgate does not explicitly disclose wherein,

    d. if said recently active window is not provided to receive input, provide another

       new window enabling receiving such input;

Goldberg discloses a method for window interfacing for user input, including,

    e. if said recently active window is not provided to receive input, provide another

       new window enabling receiving such input (par. 21);

Therefore, it would have been obvious to one having ordinary skill in the art at the time

the invention was made to provide a new window so as to enable receiving of input,

such as disclosed by Goldberg, in the disclosure of Southgate. One would have been

motivated to combine the teachings of Goldberg and Southgate, so as to enable proper

input reception in an application having plurality of window types, such as coding (text

input) and graphics (schematic) as shown in Southgate.

Claim 16, 34: Southgate and Goldberg disclose the method according to claim 15.

Southgate further discloses wherein said receiving of input in said activated window or

said new window comprises activating a parsing (e.g. compiling) of received text in said

activated or said new window (Fig. 4: 118.)

10.   Claim 15 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Southgate in view of Goldberg (2003/0200263) and in further view of Harding

(5,574,908.)

Claim 17, 35: Southgate and Goldberg disclose the method according to claim 16.

However Southgate and Goldberg do not explicitly disclose wherein said activating of

said parsing is provided by dragging and dropping said window receiving said input on

to another window comprising said parsing.

       Harding discloses a method and apparatus for using a dragging and dropping

operation so as to activate a parsing function (9:48-56.) Therefore it would have been

obvious to one having ordinary skill in the art at the time the invention was made to

utilize a dragging and dropping operation as disclosed by Harding in the combination of

Southgate and Goldberg so as utilize a commonly provided and expected means of GUI

element interaction.

Conclusion

11.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

       a.   Cohn – 5,712,995

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Belousov whose telephone number is (571) 270-1695. The examiner can normally be reached on Mon-Fri (alternate Fri off) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Stephen S. Hong/
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AB
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